



Town of Groton, Connecticut

Meeting Agenda

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk 860-441-6640
Town Manager 860-441-6630

RTM Education Committee

Chairman Archie Swindell, Representatives Alicia Bauer, Nancy Congdon, Syma Ebbin, Peter Fairbank, Michael Johnson, Jackie Massett, Scott Newsome, Tim Plungis and John Scott.

Thursday, February 24, 2011

7:00 PM

Admin. Bldg-Flanders Rd Classroom 19

Special Meeting

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **UNFINISHED BUSINESS**
4. **NEW BUSINESS**

2011-0029 Adoption of Phase II School Facilities Program Ordinance

ADOPTION OF AN ORDINANCE APPROPRIATING \$133,481,150 FOR THE PHASE II SCHOOL FACILITIES PROGRAM AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

Section 1. That the sum of ONE HUNDRED THIRTY-THREE MILLION FOUR HUNDRED EIGHTY-ONE THOUSAND ONE HUNDRED FIFTY DOLLARS (\$133,481,150) is appropriated for costs related to implementation of the Phase II School Facilities Program, consisting of the design, construction, demolition, expansion, renovation, relocation, equipping and furnishing of various of the Town's school facilities in connection with the restructuring of the Groton School District's grade level structure to Pre-K through Grade 1, Grades 2 through 6, Grades 7 through 8 and Grades 9 through 12, to be housed in two early education centers, five intermediate elementary schools, one middle school, and one senior high school, such project contemplated to include:

(a) construction of a new middle school serving all grade 7 and 8 pupils at the Claude B. Chester Elementary School site, located off of US Route 1 and CT State Route 117 in the central part of Groton, contemplated to include the demolition of the present school building, the construction of an approximately 143,500 square foot building including thirty-three classrooms, six science labs, twenty art classrooms, three music classrooms, two technology education labs, six computer labs, eight small group instruction centers, full double court gymnasium, locker rooms, weight room, auditorium to seat 400, library, school based health clinic, cafeteria, kitchen, administrative space and other educational/building support areas, with heating and cooling provided by a ground source hybrid geothermal heat pump system with integrated energy recovery systems, construction of physical education playfields (including one all weather field), access drives, parking and subsurface storm water management systems, and related work and improvements (estimated cost of \$64,697,032);

(b) renovation of the Carl C. Cutler Middle School, located at 160 Fishtown Road in Mystic, to become an intermediate elementary school facility serving grades 2 through 6, contemplated to include renovations necessary to convert approximately 15,000 square feet of the building from middle school specific spaces to elementary classroom uses, parking improvements, code-required building upgrades, and related work and improvements (estimated cost of \$5,242,188);

(c) renovations and additions to the West Side Middle School, located at 250 Brandegee Avenue in the City of Groton, to become an early education center serving Pre-K through Grade 1, contemplated to include renovations to 76,000 square feet of the existing building and an addition of approximately 11,700 square feet to provide a total of 35 classrooms arranged within three clusters of autonomous "learning communities", as well as an art classroom, music classroom, four small group

instructional rooms, school based health clinic, along with kitchen, multipurpose room, administration/building support areas, and related work and improvements (estimated cost of \$23,037,357);

(d) construction of an early education center serving Pre-K through Grade 1, to be located at the current site of the present S.B. Butler Elementary School at 155 Oceanview Avenue in Mystic, contemplated to include construction of a new 79,700 square foot facility and the subsequent demolition of the present school building, the new facility to include a total of 35 classrooms arranged within three clusters of autonomous "learning communities", as well as an art classroom, music classroom, four small group instructional rooms, school based health clinic, along with kitchen, multipurpose room, administration/building support areas, with heating and cooling provided by a ground source hybrid geothermal heat pump system with integrated energy recovery systems, and related work and improvements (estimated cost of \$36,143,070); and

(e) construction of an all-weather artificial sports field and related improvements to be located on the site of the current football field at Fitch Senior High School, located at 101 Groton Long Point Road in Groton (estimated cost of \$1,002,766); and

costs related to the financing thereof (estimated at \$3,358,737). The appropriation may be spent for design, construction and demolition costs, equipment, furnishings, materials, land or easement acquisition, necessary utilities, site improvements, parking, road and sidewalk improvements to and on the school sites, architects' fees, engineering fees, construction management fees, legal fees, storage, temporary space, moving and other relocation and facility closure costs, net interest on borrowings and other financing costs, and other expenses related to the project or its financing. The Town anticipates receiving State school building construction project grants in the estimated amount of 51.4 % of eligible project costs to defray in part the appropriation.

The Town Council shall, with Board of Education input, review and approve project phasing. The Town Council, or its designee, shall approve the final concept for each school project and may allocate the appropriation between the separate school projects as needed to pay the costs thereof. The Town Council may reduce or modify the scope of any element of the project and may delete elements of the project if funds are insufficient to complete the entire project. The entire appropriation may be expended on the project as so reduced or modified.

Section 2. That the Town issue bonds or notes, in an amount not to exceed ONE HUNDRED THIRTY-THREE MILLION FOUR HUNDRED EIGHTY-ONE THOUSAND ONE HUNDRED FIFTY DOLLARS (\$133,481,150) to finance the appropriation for the project. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes shall be issued pursuant to Sections 7-369 and 10-289 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be secured by the irrevocable pledge of the full faith and credit of the Town of Groton. The Town does hereby covenant and agree with the holders of the bonds or notes and all notes issued in anticipation of the receipt of the proceeds from the sale of such bonds or notes that in each year while any such bonds or notes are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town in an amount sufficient, with such other funds of the Town as shall be available for such purpose, to pay the interest and principal on the bonds or notes as the same become due and payable.

Section 3. That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project or the receipt of grants for the project. The amount of the notes outstanding at any time shall not exceed ONE HUNDRED THIRTY-THREE MILLION FOUR HUNDRED EIGHTY-ONE THOUSAND ONE HUNDRED FIFTY DOLLARS (\$133,481,150). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be secured by the irrevocable pledge of the full faith and credit of the Town, payable as provided in Section 2. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

Section 4. That the Town Council shall determine the amount of bonds or notes authorized by Section 2 to be sold. The Town Manager and the Director of Finance shall determine the amount of any temporary notes authorized by Section 3 to be sold. The Town Manager and the Director of

Finance of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Director of Finance are authorized to determine the dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

Section 5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 and, if applicable, pursuant to Section 54A(d) of the Internal Revenue Code of 1986, as amended, that (except to the extent reimbursed from grant moneys) project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings, including qualified tax credit bonds, in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Director of Finance are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this ordinance if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

Section 6. That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

Section 7. That the Board of Education is authorized to apply for and accept state grants for the project. The Board of Education is authorized to file applications with the State Board of Education, to execute grant agreements for the project, and to file such documents as may be required by the State Board of Education to obtain grants for the costs of financing the project.

Section 8. That the Town Manager, the Director of Finance, the Board of Education and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

Section 9. This ordinance shall become effective only if it has been adopted by vote of not less than five (5) members of the Town Council and by the Representative Town Meeting, and only if the appropriation set forth in Section 1 and the issuance of bonds and notes to finance said appropriation have been approved by the voters at referendum in accordance with Sections 5.5.5.1 and 9.13 of the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.

Refer to RTM.

Legislative History

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| 1/19/2011 | Mayor | Referred | Town Council Committee of the W |
| 1/25/2011 | Town Council Committee of the Whole | Discussed | |

The Town Manager distributed responses from the Town Planning Commission and City Planning and Zoning Commission to the CGS 8-24 referrals on the Phase II Schools ordinance.

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| 1/25/2011 | Town Council Committee of the Whole | Recommended for a Resolution |
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A motion was made by Councilor O'Beirne, seconded by Councilor Sheets, to amend the motion and replace all occurrences (words and numbers) of \$133,481,150 with \$132,478,384, and to delete Section 1.(e).

Councilor O'Beirne explained that the amendment would eliminate the all-weather field at Fitch High School

that was added to the project by the Superintendent of Schools with little discussion or justification.

Councilor Kolnaski asked about the ability to add wording to the ordinance to address the potential unavailability of state funding. The Town Manager stated no, but if after the referendum is approved by the voters the expected state reimbursement is different, the project is still under the control of the Town Council and it can be stopped. Discussion followed on wording in the ordinance.

A motion was made by Councilor Sheets to amend the motion to modify the final paragraph in Section 1. to read "The Town Council ... shall delete elements of the project if funds are insufficient to complete the entire project. There was no second.

Councilor O'Beirne noted the lack of support for the project because of the cost. He would like the Board of Education to develop a program for Pre-K that does not demolish and close existing schools.

Mayor Streeter supports institution of a Pre-K program. However, despite low lending rates and contractor availability, the Town can not afford the project.

Councilor Peruzzotti noted that the Superintendent was hired to move the school system forward. The Phase II project was sent to a committee that made a recommendation. She noted that the only people who vote or attend a public hearing are those with strong feelings and she believes that everyone must have the opportunity to vote on the project.

Councilor Johnson feels that people should have expected that a Phase II would follow a Phase I and the Town should see what happens with a vote. He emphasized that Thames Street and the Phase II Schools are two separate issues, not competing issues.

Councilor Flax believes that the Superintendent is presenting what he believes is the best product. He personally needs more time to think about it and so do the voters.

Councilor Watson feels the project should move forward. He reiterated his disappointment that there is no swimming pool included in the project.

Councilor Sheets expressed support for sending the project to the voters.

Councilor Monteiro has spoken to no one (that is not associated with the project) that favors the project. However, since the majority of the Council accepted the Phase II report, she supports sending the project to the voters.

The amendment to the motion failed by the following vote:

In favor: 3 - Mayor Streeter, Councilor Monteiro, Councilor O'Beirne

Opposed: 6 - Councilor Flax, Councilor Johnson, Councilor Kolnaski, Councilor Peruzzotti, Councilor Sheets, Councilor Watson.

2/8/2011 Town Council

**Deleted from Referral List -
Action to be taken**

2/8/2011 Town Council

Adopted and Referred

Representative Town Meeting

Councilor Monteiro will vote against sending this item to referendum. She disagrees with the location for the new middle school and other items in the proposal. She stated that over the last two weeks she has received many comments similar to those made during Citizens Petitions tonight.

Councilor O'Beirne stated that the long-range school vision was to be segmented into three phases and that this proposed Phase II School Facilities Program does not resemble the initial vision.

Mayor Streeter stated that he was in favor of Phase I and utilizing the King property. He does not concur with Claude Chester as the location for the new middle school. Mayor Streeter realizes that interest rates are low and contractors may be willing accept lower prices, but the Town cannot afford this project. He will be voting against this resolution.

Councilor Sheets will be voting for this resolution even though she disagrees with abandoning the King property. She stated that it may take two or three referendums before this passes, but she believes the voters should have the opportunity to vote.

Councilor Johnson stated that now is the best time to build, and he feels that citizens should be able to vote on this referendum. He believes that the committee has figured out a sensible plan.

2/9/2011

Representative Town Meeting

Referred

RTM Education Committee

5. Consideration of Committee Referral Items as per Referral List

6. ADJOURNMENT

For the committee to meet, we need a quorum. Please let the clerk's office (441-6643) know ASAP if you will not be able to attend this meeting.